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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,911	03/19/2001	Rebecca Anne Ansley	Ansley I	8956
46363 7590 12/19/2007 PATTERSON & SHERIDAN, LLP/ LUCENT TECHNOLOGIES, INC 595 SHREWSBURY AVENUE SHREWSBURY, NJ 07702			EXAMINER SUBRAMANIAN, NARAYANSWAMY	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 12/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/811,911

Applicant(s)

ANSLEY, REBECCA ANNE

Examiner

Narayanswamy Subramanian

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to applicants' communication filed on October 5, 2007. Amendments to claims 1 and 9 and cancellation of claims 7-8 have been entered. Claims 1- 6 and 9-11 are currently pending and have been examined. The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boston (US Patent 4,766,293) in view of Roslak et al. (US Patent 7,010,501).

Claim 1, Boston teaches a method, comprising: storing, in at least one database within a portable first computing device, financial transaction data (See Boston Abstract and Column 2 lines 5-13) and budgetary data (See Boston Column 2 lines 17-20, the maximum amount that can be authorized is interpreted as budgetary data); evaluating said transaction data using said budgetary data to determine at least whether a transaction value exceeds a budgetary constraint for a transaction (See Boston Column 2 lines 17-27, the transaction limits are interpreted to include periodic budgets); displaying, upon a display device, a message indicative of the results of said evaluation, said displayed message indicative of whether said transaction is appropriate with respect to said budgetary constraint (See Boston Column 5 lines 30-32).

Boston does not explicitly teach the steps wherein said budgetary data comprises a plurality of records, each record comprising a budgetary item identifier field and at least one of an annual budget field and a periodic budget field, wherein data stored in said at least one database of said portable computing device is periodically synchronized with the same data stored in at least one corresponding database within a second computing device and wherein budgetary constraint comprises at least one of an annual budget and a periodic budget determined via the budgetary item identifier field of the budgetary data using a budgetary item identifier of the transaction. However the limitations “wherein said budgetary data comprises a plurality of records, each record comprising a budgetary item identifier field and at least one of an annual budget field and a periodic budget field” and “wherein budgetary constraint comprises at least one of an annual budget and a periodic budget determined via the budgetary item identifier field of the budgetary data using a budgetary item identifier of the transaction” are non-functional descriptive limitations because they do not affect the steps of the method namely storing, evaluating, and displaying. Hence these limitations are not given patentable weight. In the alternative it is old and well known in the art for a record to have several fields and to store variables in specific fields. These fields help in the efficient arrangement and retrieval of data for further processing and/or display. It would have been obvious to one of ordinary skill in the art to modify Boston to include these features. The combination of disclosures suggests that users would have benefited from efficient arrangement and retrieval of data for further processing and/or display.

Roslak teaches the step wherein data stored in said at least one database of said portable computing device is periodically synchronized with the same data stored in at least one corresponding database within a second computing device (See Roslak Column 24 lines 13-36).

It would have been obvious to one of ordinary skill in the art to modify Boston to include the teachings of Roslak. The combination of disclosures suggests that users would have benefited from being able to carry out the authorization procedure independently of a central processor (See Boston Column 3 lines 6-10).

Claim 2, Roslak teaches generating, at one of said first and second computing devices operating as a master computing device, a report indicative of transaction patterns associated with at least said first and second computing devices See Roslak Column 19 lines 1-19 and Column 19 line 29 – Column 20 line 40).

Claim 3, Boston teaches storing, in one of said first computing device and second computing device, accounts data including information pertaining to accessible financial accounts, said accounts database providing available credit or debit amounts to update budgetary data during said step of synchronizing (See Boston Abstract).

Claim 10, Boston teaches the step where in the case of an evaluation indicative of exceeding a budgetary constraint, displaying upon said display device a message indicative of said budgetary constraint being exceeded (See Boston Column 5 lines 39-42, denial message is a message indicative of said budgetary constraint being exceeded).

Claim 11, Boston teaches the step wherein a transacting entity utilizing one of said first and second computing devices inputs transaction data contemporaneous to effecting said

transaction, said displayed message indicating to said transacting entity whether said respective transaction should proceed (Implied in Boston's disclosure).

Claims 4-6 and 9, Boston does not explicitly teach the features discussed in these claims. Official notice is taken that storing variables in specific fields in a record is old and well known in the art. These fields help in the efficient arrangement and retrieval of data for further processing and/or display. It would have been obvious to one of ordinary skill in the art to modify Boston to include these features. The combination of disclosures suggests that users would have benefited from efficient arrangement and retrieval of data for further processing and/or display.

Response to Arguments

4. In response to applicant's arguments "Boston is devoid of any teaching or suggestion of budgetary data. Rather, Boston merely provides a capability whereby a transaction amount is compared with a transaction limit for a selected account stored on the financial transaction card. Specifically, Boston states that the transaction limit is set by the issuer and can take a number of forms. Where the account is for checking, savings, or similar types of accounts, the transaction limit will typically represent the amount which the customer has on deposit with the issuer...The transaction limit can also be a fixed dollar level based upon the creditworthiness of the customer." (Boston. Col. 5, Lines 44. 58, Emphasis added).", the examiner respectfully disagrees. The transaction limit that is set as disclosed in Boston is interpreted to include budgetary data. According to "Little Oxford Dictionary", a budget is defined as the amount of money needed or available. Hence Boston discloses budgetary data.

Applicant's other arguments with respect to pending claims 1- 6 and 9-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached at (571) 272-6771. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'N. Sub', with a long horizontal stroke extending to the right.

Dr. N. Subramanian
Primary Examiner
Art Unit 3691

December 12, 2007